

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

IGOR KOZLOV,)	
)	
Plaintiff,)	4:10-cv-03211
)	
vs.)	ORDER
)	
ASSOCIATED WHOLESALE)	
GROCERS, INC., et al.,)	
)	
Defendants.)	
ANDREI TCHIKOBAVA,)	
)	
Plaintiff,)	4:10-cv-03212
)	
vs.)	
)	
ASSOCIATED WHOLESALE)	
GROCERS, INC., et al.,)	
)	
Defendants.)	
PAMELA SCOTT, Personal)	
Representative of the Estate of Michael)	
E. Scott, Deceased,)	
)	
Plaintiff,)	8:10-cv-03191
)	
vs.)	
)	
IGOR KOZLOV, ALBATROSS)	
EXPRESS, LLC and UNICK, LLC,)	
)	
Defendants.)	

This matter is before the Court on Andrei Tchikobava's ("Tchikobava") motion to strike the testimony of Associated Wholesale Grocers, Inc.'s ("AWG") expert witness, Dr. Chris A. Cornett ("Cornett"). (Case No. 4:10-cv-3212, [filing 388](#).) Tchikobava asserts that

Cornett's testimony should be stricken because AWG failed to provide Cornett's report by September 16, 2014, as agreed by the parties.

Tchikobava's motion to strike was filed on September 16, 2014. Later that day, AWG responded to Tchikobava's motion, stating that the report had now been provided to Tchikobava's counsel. (Case No. 4:10-cv-3212, [filing 389](#).) AWG filed a supplemental response to Tchikobava's motion to strike on September 18, 2014, informing the Court that Tchikobava's counsel, after reviewing Cornett's report, has decided not to depose Cornett. (Case No. 4:10-cv-3212, [filing 391](#).) Therefore, according to AWG, Tchikobava has not been prejudiced by any alleged delay in receiving the report. Tchikobava has not responded to AWG's supplemental response or given any other indication that he still desires to pursue his motion to strike.

Accordingly, Tchikobava's motion to strike (Case No. 4:10-cv-3212, [filing 388](#)) is denied as moot.

DATED October 6, 2014.

BY THE COURT:

**S/ F.A. Gossett
United States Magistrate Judge**